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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Programme budget for the biennium 2012-2013

Situation of human rights in Myanmar

Programme budget implications of draft resolution A/C.3/67/L.49/Rev.1

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of paragraph 21 of draft resolution A/C.3/67/L.49/Rev.1, the General Assembly would request the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, involving all relevant stakeholders, including democracy and human rights groups, and to offer technical assistance to the Government in this regard;

(b) To give all necessary assistance to enable the Special Adviser and the Special Rapporteur to discharge their mandates fully, effectively and in a coordinated manner;

(c) To report to the General Assembly at its sixty-eighth session, as well as to the Human Rights Council, on the progress made in the implementation of the resolution.

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II. Relationship of the proposed requests to the biennial programme plan and priorities for the period 2012-2013

2. The foregoing requests relate to subprogramme 1, Prevention, control and resolution of conflicts, of programme 2, Political affairs, and subprogramme 3, Advisory services, technical cooperation and field activities, and subprogramme 4, Supporting the Human Rights Council, its subsidiary bodies and mechanisms, of programme 19, Human rights, of the strategic framework for the period 2012-2013 (A/65/6/Rev.1).

III. Activities by which the requests would be implemented

3. In his report to the General Assembly (A/67/333), the Secretary-General outlined his continued broad-based consultations with the authorities and key stakeholders, including democracy and human rights groups, as well as with key Member States with regard to implementation of the good offices mandate.

4. The Secretary-General recognized that the new civilian Government headed by President Thein Sein has undertaken dramatic and significant reform measures to consolidate democracy, including enacting new laws in active sessions of the national parliament and regional assemblies, reaching out to various ethnic groups to promote peace and national reconciliation, encouraging the voluntary return and resettlement of displaced populations, releasing significant numbers of political prisoners and taking measures to carry out economic reforms aimed at transforming the largely centralized economy into an increasingly market-oriented one that is open to foreign investment and trade. Over the past year, the Special Adviser to the Secretary-General has visited Myanmar three times at the invitation of the Government: (a) in October-November 2011, following the new steps taken in the implementation of reforms, national dialogue and reconciliation; (b) in February 2012, ahead of the April 2012 by-elections; and (c) in June 2012 during the early days of the first outbreak of communal violence in Rakhine State. In addition, the Special Adviser also accompanied the Secretary-General during his most recent visit to Myanmar at the end of April into early May 2012, making an additional visit to the country in September 2012.

5. The complex and evolving situation in Myanmar has required the Secretary-General and his Special Adviser to continue to implement good offices through comprehensive engagement with the authorities of Myanmar and other relevant stakeholders. Engagement in the political, humanitarian and socioeconomic areas has remained equally important in advancing the objectives of the good offices mandate. The Special Adviser has accordingly sought progress in five areas: (a) the release of political prisoners; (b) the pursuit of an inclusive dialogue between the Government and all relevant parties to the national reconciliation process, including both those who are represented in Parliament and those who are not; (c) the creation of conditions conducive to an inclusive and credible political and electoral process; (d) measures to improve socioeconomic conditions through strengthening the partnership of the United Nations and Myanmar; and (e) a regularized pattern of engagement and cooperation between Myanmar and the United Nations through the good offices process.

6. Notwithstanding the positive developments in the country, which have created an opportunity for the calibration of the approach of the good offices process, a number of political, human rights, development and humanitarian problems facing Myanmar still remain. Issues of particular concern are the second outbreak of communal violence in Rakhine State and the delay in reaching a ceasefire in the conflict in Kachin State. The continued detention of the remaining political prisoners remains of concern to the United Nations and the international community.

7. The support of the General Assembly for the existing capacity of the Secretary-General's good offices role will therefore remain important in order to help the Government and other stakeholders maximize the opportunities for greater democratization and national reconciliation through an inclusive political process. Member States continue to have a shared stake in the success of the current process in bringing about a credible transition that can contribute to the country's stability and development. The reform agenda and the transition process offer a chance for a better understanding between Myanmar and the international community, providing an opportunity for greater cooperation between Myanmar and the United Nations in the interest of the people of Myanmar.

8. In future, the Secretary-General will continue to work with all concerned to support the efforts of the Government and the people of Myanmar towards national reconciliation, the transition to democracy and full respect for human rights as the necessary foundation for long-term stability and prosperity. In the light of the increase in United Nations activities in a number of areas of engagement in Myanmar, including a new United Nations Development Programme (UNDP) country programme, which was submitted to the UNDP Executive Board in September 2012, and the preparation of the 2014 census and peacebuilding activities in border areas, the Office of the Special Adviser continues to chair the inter-agency and interdepartmental Myanmar Working Group at Headquarters at working and senior-levels in order to facilitate information-sharing and coordination in view of the importance of enhancing United Nations system-wide coherence.

9. In 2013, consistent with the requests contained in operative paragraphs 21 (a) and (b) of draft resolution A/C.3/67/L.49/Rev.1, the Secretary-General would continue his efforts to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, involving all relevant stakeholders, including democracy and human rights groups, and to offer technical assistance in this regard. The efforts of his good offices would be carried out through his Special Adviser and his team, in close coordination with the Department of Political Affairs at Headquarters. The progress made in the implementation of the resolution would be reported to the General Assembly at its sixty-eighth session.

IV. Estimated resource requirements

10. The estimated costs of continuing the efforts of the good offices of the Secretary-General to facilitate the process of national reconciliation and democratization through his Special Adviser for Myanmar, as requested in paragraphs 21 (a), (b) and (c) of draft resolution A/C.3/67/L.49/Rev.1, for a one-year period, from 1 January to 31 December 2013, amount to $1,397,800 net ($1,519,900 gross).

11. These resources would cover: the salaries of the Special Adviser (Under-Secretary-General) and four staff (2 P-4, 1 P-3 and 1 General Service (Other Level)); the official travel of the Special Adviser to Myanmar, neighbouring countries in the region, Europe and North America, including United Nations Headquarters; the services of consultants; and miscellaneous services in support of his mission. Other substantive and administrative support to the Special Adviser would be provided by the Department of Political Affairs.

12. The above requirements have been included in the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council (A/67/346/Add.1) and would be part of the 2013 appropriation for special political missions under section 3, Political affairs, of the programme budget for the biennium 2012-2013.

13. With regard to the request contained in paragraph 21 (b), pertaining to the Special Rapporteur, the related requirements are considered of a "perennial nature" and as such, a provision of an estimated $73,600 per annum to implement the activities of the Special Rapporteur has been made, under section 24, Human rights, of the programme budget for the biennium 2012-2013.

14. No additional resources are requested under section 24, Human rights, at this juncture, over and above those reflected above.

V. Summary

15. **Should the General Assembly adopt draft resolution A/C.3/67/L.49/Rev.1, additional requirements amounting to $1,397,800 net ($1,519,900 gross) would be required for the period from 1 January to 31 December 2013 for the continuation of the efforts of the good offices of the Secretary-General relating to the situation in Myanmar.**

16. **These requirements would be part of the 2013 appropriation for special political missions under section 3, Political affairs, of the programme budget for the biennium 2012-2013. Approval for these requirements are being sought in the context of the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the Assembly and/or the Security Council (A/67/346/Add.1), currently before the Assembly for consideration during the main part of its sixty-seventh session.**